NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

CHARLES MURRAY, ET AL.,

Plaintiffs,

Civ. No. 11-647 (GEB)

v.

ORDER

GERDAU AMERISTEEL CORP.,

Defendant.

BROWN, Chief Judge

This matter comes before the Court upon the June 27, 2011 motion of Plaintiff Charles Murray ("Murray") to amend his complaint. (Doc. No 23) By letter dated July 19, 2011, counsel for Defendant Gerdau Ameristeel Corp. ("Gerdau") advised the Court that Gerdau does not oppose Murray's proposed amendment. Therefore, pursuant to Federal Rule of Civil Procedure 15(a)(2), the Court will grant Murray's motion, and as such, the amended complaint filed by Murray on June 17, 2011, shall form Murray's operative pleading in this case. (Doc. No. 13) In light of that, it appears that Gerdau's pending motion to dismiss, which addressed Murray's original complaint, is moot and shall be denied without prejudice. As such;

IT IS THIS 20^{th} day of July, 2011, hereby

ORDERED that Murray's motion to amend is GRANTED; (Doc. No. 23)

ORDERED that Gerdau's motion to dismiss is DENIED without prejudice. (Doc. No. 6)

/s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.